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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GIL CROSTHWAITE, et al. as Trustees of the
OPERATING ENGINEERS HEALTH AND
WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA, et al.,

Plaintiffs,

v.

DUN ENGINEERING SERVICES, INC., and
MARK THOMAS JONES,

Defendants.

Case No.: C07-4995 JL

**DECLINATION TO PROCEED BEFORE
A MAGISTRATE JUDGE**

**and
REQUEST FOR REASSIGNMENT TO A
UNITED STATES DISTRICT JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: October 9, 2007

Respectfully submitted,
SALTZMAN & JOHNSON LAW CORPORATION

_____/s/_____
Michele R. Stafford
Attorneys for Plaintiffs

PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 120 Howard Street, Suite 520, San Francisco, California 94105.

On October 9, 2007, I served the following document(s):

**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE
and
REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

on the interested parties in said action by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Matt Quall, Esq.
Agent for Service of Process for
Dun Engineering Services, Inc.
Lang, Richert & Patch
5200 N. Palm Avenue, Suite 401
Fresno, CA 93704**

**Mark Thomas Jones
4721 W. Jennifer #7
Fresno, CA 93722**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 9th day of October, 2007, at San Francisco, California.

_____/s/_____
Vanessa de Fábrega